

ADMINISTRATIVE PANEL DECISION

Elkjøp Nordic AS v. Emma White
Case No. D2025-3528

1. The Parties

The Complainant is Elkjøp Nordic AS, Sweden, represented by Zacco Sweden AB, Sweden.

The Respondent is Emma White, United States of America.

2. The Domain Names and Registrar

The disputed domain names <elgigantenrea.shop> and <elgiganten24.shop> are registered with NameCheap, Inc. (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on September 1, 2025. On September 1, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On September 2, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Redacted for Privacy, Privacy service provided by Withheld for Privacy ehf) and contact information in the Complaint. The Center sent an email communication to the Complainant on September 4, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amendment to the Complaint on September 4, 2025.

The Center verified that the Complaint together with the amendment to the Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on September 9, 2025. In accordance with the Rules, paragraph 5, the due date for Response was September 29, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 30, 2025.

The Center appointed Clive Duncan Thorne as the sole panelist in this matter on October 6, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is a Norwegian group of companies founded in 1962 and is one of the largest electronics retailers in the Nordic countries, with retail businesses established in Norway, Sweden, Denmark, and Finland, and franchise operations in Greenland, Iceland, and the Faroe Islands. The Complainant is part of the Currys Group Ltd (formerly known as DSG Retail Ltd), a leading multinational consumer electrical and mobile retailer and services company, employing over 24,000 people in six countries.

Currently the Complainant employs around 9,800 employees trading under the brand names ELJKØP and ELJKØP Phonehouse in Norway, ELGIGANTEN and ELGIGANTEN Phonehouse in Sweden, ELGIGANTEN in Denmark, GIGANTTI in Finland, ELKO in Iceland, ELDING in the Faroe Islands, and PISIFFIK in Greenland. In total the Complainant operates 420 stores, several e-commerce websites, and has a turnover of more than 47 billion NOK.

The Complainant was established in Sweden as Elgiganten AB and in Denmark as Elgiganten A/S, both in 1993. Elgiganten AB and Elgiganten A/S are wholly owned subsidiaries of the Complainant.

The Complainant owns trademark registrations for the mark ELGIGANTEN in Denmark registered in 2005 and in the European Union (the “EU”) registered in 2008. The logotype version of the mark ELGIGANTEM is also registered as a trademark in various jurisdictions including the EU. Copies of the certificates of registration are exhibited as Annex 5 to the Complaint. Details are as follows:

Danish registration: ELGIGANTEN in classes 7,8,9,11,21,35 registered on May 24, 2005, no. 200501853;

EU registration: ELGIGANTEN in classes 7,8,9,11,21,35 registered on May 30, 2008, no. 005908678; and

EU registration: ELGIGANTEN (LOGO) in classes 7,8,9,11,14,16,20,21,28,35,37 registered on March 6, 2013, no. 011148913.

The Panel notes that these trademark registrations pre-date by many years the date of registration of the disputed domain names on July 20, 2025.

The Complainant draws attention to the fact that in previous decisions Panels have found the mark ELGIGANTEN to be both distinctive and well known. These include *Elkjøp Nordic A/S v. Svenska Dator AB*, WIPO Case No. [D2010-1018](#) relating to the domain name <elgiganten.com> where the Panel found the ELGIGANTEN mark to be well known and *Elkjøp Nordic A/S v. Name Redacted*, WIPO Case No. [D2013-1285](#) relating to the domain name <elgiganten-wholesale.com> where the Panel found the ELGIGANTEN mark to be both distinctive and well known. The Complainant points out the steady growth of its business since 2010 and that therefore the mark ELGIGANTEN is most likely to have become even more well known.

The Complainant refers to its official corporate website for ELJKØP at “www.elkjopnordic.com” and its commercial ELGIGANTEN websites at “www.elgiganten.dk” and “www.elgiganten.se” for further evidence of its activities. The Panel has also considered the Complainant’s annual report for 2024 exhibited as Annex 4 to the Complaint.

Little is known about the Respondent save that it was using the disputed domain names to host websites, screenshots of which are exhibited as Annex 6 to the Complaint. The websites prominently display the Complainant's mark ELGIGANTEN against a retail background for consumer goods similar to those sold by the Complainant.

At Annex 7 to the Complaint the Complainant exhibits a cease-and-desist letter sent to the holder of the two disputed domain names. As of the date of filing the Complaint no response has been received from the Respondent.

In the absence of a Response the Panel finds the above evidence adduced by the Complainant to be true.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

Notably, the Complainant contends that:

- i. The disputed domain names are confusingly similar to its registered trademarks ELGIGANTEN.
- ii. There is no evidence that the Respondent has rights or legitimate interests in the disputed domain names. To the contrary, the evidence shows that the disputed domain names are being used to infringe the Complainant's rights.
- iii. The evidence of the Respondent's websites and its failure to respond to a cease-and-desist letter shows that the disputed domain names were registered and are being used by the Respondent in bad faith.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition, (["WIPO Overview 3.0"](#)), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.2.1.

The Panel finds the mark is recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.0](#), section 1.7.

Both of the disputed domain names utilize the Complainant's registered trademark ELGIGANTEN in its entirety in conjunction with the terms "24" and "rea", respectively, which do not prevent a finding of confusing similarity.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of “proving a negative”, requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. The Respondent has not rebutted the Complainant’s prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain names such as those enumerated in the Policy or otherwise.

The Complainant points out it has not licensed or authorized the Respondent to use the trademark ELGIGANTEN. The Respondent is not using the domain names in connection with a bona fide offering of goods or services. Rather the Respondent is using the disputed domain names to host websites to impersonate the Complainant and to misrepresent that there exists a bona fide trading association with the Complainant that does not exist.

Panels have held that the use of a domain name for illegitimate activity, here claimed impersonation/passing off, can never confer rights or legitimate interests on a respondent. [WIPO Overview 3.0](#), section 2.13.1.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel notes, as set out above that the Respondent registered and has been using the disputed domain names to create the false impression that the Respondent’s websites accessed by the disputed domain names are affiliated with or operated by the Complainant. The Panel finds that the use of the ELGIGANTEN mark on the Respondent’s websites constitutes evidence of registration and use in bad faith within paragraph 4(b)(iv) of the Policy as the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its websites by creating a likelihood of confusion with the Complainant’s mark as to the source, sponsorship, affiliation, or endorsement of its websites and the services offered on those websites.

The Panel finds that the Respondent’s conduct in failing to respond to the cease-and-desist letter supports its finding of bad faith (see *LEGO Juris A/S v. Colin Heggie*, WIPO Case No. [D2011-1304](#)).

The Panel finds that the Complainant has established the third element of the Policy

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain names <elgigantenrea.shop> and <elgiganten24.shop> be transferred to the Complainant.

/Clive Duncan Thorne/

Clive Duncan Thorne

Sole Panelist

Date: October 17, 2025.